

PLANNING AND ZONING COMMISSION
STAFF REPORT

November 5, 2009



Rezoning RZ 09-18: R.A. Galindo Inc.

CASE DESCRIPTION: a request to change the zoning classification from Retail District (C-2) to Multiple-Family District (MF)

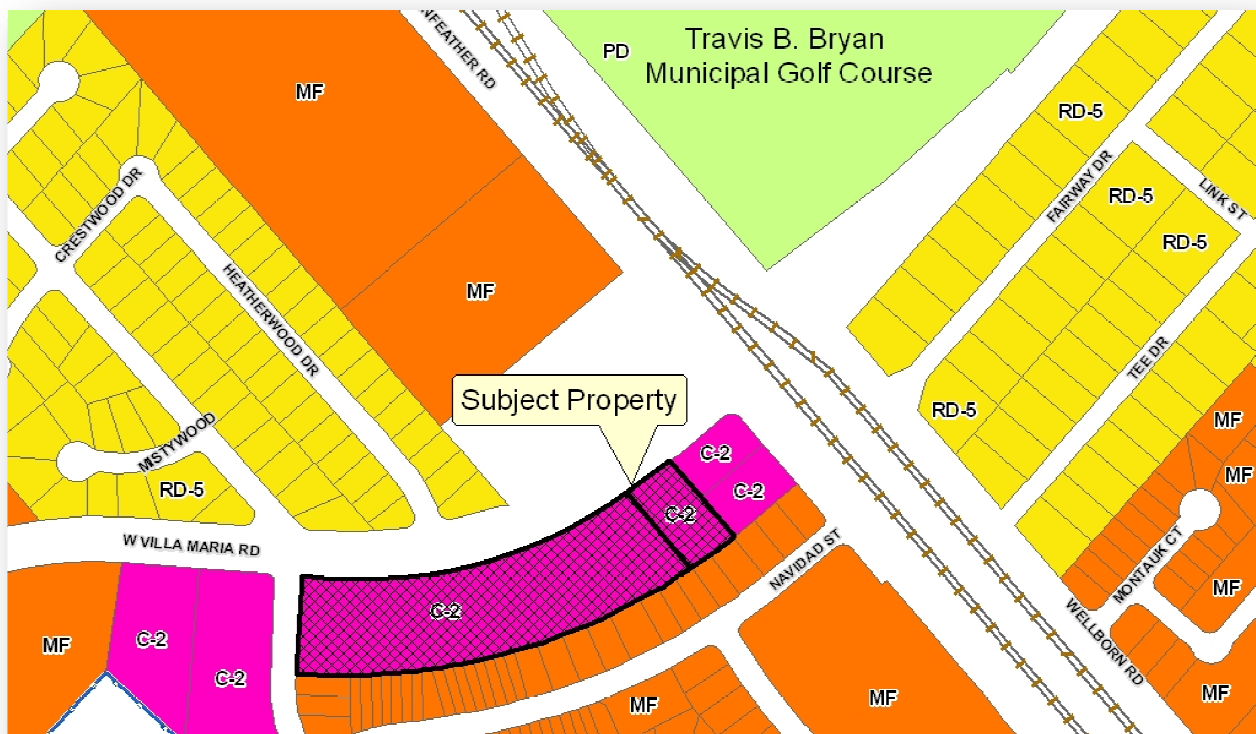
LOCATION: 5.8 acres of land adjoining the south side of West Villa Maria Road between Forestwood Drive and Finfeather Road, being Lots 3 and 4 in Block 1 in the Villa West Subdivision – Section 1

EXISTING LAND USE: apartment complex / vacant acreage

APPLICANT(S): R.A. Galindo, Inc.

STAFF CONTACT: Randy Haynes, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this request for MF zoning on this entire property, **subject to the condition** that the City of Bryan conveys Lot 3 to the applicants.



AERIAL PHOTOGRAPH (2008):



PROPERTY PHOTOGRAPHS:





BACKGROUND:

Upon adoption of the Zoning Ordinance in December 1989, the subject property zoned Retail District (C-2). In December 1993, the Planning and Zoning Commission granted a conditional use permit to develop most of this property for multifamily use. During the development process the land was subdivided and an apartment complex was built on Lot 4.

The applicants, R.A. Galindo, Inc. who own Lot 4 are in the process of acquiring Lot 3 from the City of Bryan. The authorization of the sale of Lot 3 to the applicants is scheduled to be considered by the City Council on October 30th. The applicants plan to build apartment units on Lot 3 and are requesting a zoning change from C-2 to (MF) on both Lots 3 and 4 (5.8 acres) to facilitate the planned apartment development and to match the zoning of this land to the existing development.

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The Comprehensive Plan suggests that high-density residential uses be located at mid-block locations along collector and arterial streets. The Comprehensive Plan also suggests high-density residential land uses may function as transitional land uses when situated between residential uses of lower density and commercial uses.

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

Staff believes that proposed MF zoning on these 5.8 acres is appropriate at this particular location and is in accordance with land use recommendations of the Comprehensive Plan. Staff maintains that allowing the creation of an MF District will allow orderly urban infill development in this vicinity. In addition, staff believes that MF zoning on the subject property is compatible with the surrounding residential developments which are also zoned MF District.

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

Any issues regarding utility availability and extension will be addressed at the time of development.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

Eighty-seven percent of the land involved in this request is already developed as an apartment complex. The requested zoning change will have no effect on future development of this already developed property. The remaining 0.78 acres encompassed in the request is the potentially developable land under consideration. There is currently very little vacant land remaining in this vicinity classified for similar development. Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Staff contends that multiple-family residential developments have developed at a rapid pace in this vicinity and elsewhere in the City. Within the past five years over one thousand apartment dwelling units have been built within one half mile of the subject property.

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

If the proposed zone change was approved, staff believes there will be no effects on other areas designated for similar developments.

6. Any other factors affecting health, safety, morals, or general welfare.

Staff believes that the requested rezoning to MF District, in this particular case, should have no adverse effects on adjacent properties. Staff contends that multiple-family residences at this location will create an orderly zoning pattern and allow for desirable infill development at this location.

RECOMMENDATION:

Staff recommends **approving** proposed MF zoning on Lot 4. Staff also recommends approving MF zoning on Lot 3; however staff's positive recommendation with regard to Lot 3 is **subject to the condition** that the City of Bryan conveys Lot 3 to the applicants.